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Surveyors Role in History: The Assassination of John F. Kennedy—The Trial of Clay Shaw

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Fifty years since the assassination of John F. Kennedy much has changed, both in the way we would today report the event and in the tools available to solve the crime. Even with the advancements of technology there remains the many dozens of theories that surround the events of the assassination of our 35th President of the United States.

On March 1, 1967, New Orleans District Attorney Jim Garrison arrested and charged New Orleans businessman Clay Shaw with conspiring to assassinate President Kennedy, with the help of Lee Harvey Oswald. The Clay Shaw trial included testimony of land surveyor Robert West. It is to date, the only trial to be brought for the assassination of President Kennedy. A jury took less than an hour to find Clay Shaw not guilty.

Robert West, a surveyor in Dallas County, Dallas Texas, was brought in to testify as an expert on the as-built conditions of Dealey Plaza at 12:30 PM CT, November 22, 1963 when the 35th President of the United States was shot and killed. His detailed knowledge of the conditions of the plaza combined with his timely presence at the site during the assassination would make a powerful statement to surveyors as they approach their profession as documentation experts of existing conditions.

The role that surveyors have played in history began hundreds of years ago with the exploration of America and the need for navigational maps. The profession requires a unique ability in observation and documentation which advances the profession beyond more than filling a basic need to define boundaries. Surveyors are historians and detectives and the profession has proven to be more than the establishment and maintenance of boundaries as it is both a science and an art.

Here are the opening remarks from the transcript:

John F. Kennedy assassination: The Clay Shaw trial testimony of Robert West, eyewitness to the assassination of JFK
The Clay Shaw trial testimony of Robert West
February 13, 1969

THE COURT: I would suggest we call Mr. West and put him under oath out of the presence of the Jury and go through his testimony. If you have no objection you can do it all over again in the presence of the Jury.

ROBERT WEST, after first being duly sworn, was examined and testified on his oath as follows:

THE COURT: Would you be kind enough to spell your name?

THE WITNESS: Robert H. West, W-E-S-T.

THE COURT: You may proceed.

DIRECT EXAMINATION BY MR. SCIAMBRA:

Q: What is your occupation, sir?

A: I am a land surveyor, the County Surveyor for Dallas County.

Q: Would you briefly tell the Court the nature of your duties as surveyor for Dallas County, Dallas, Texas?

A: Basically keeping the survey records, the land survey records of the County, making them available to the public and so forth.

Q: Do your duties include any on-the-scene survey work?

A: In my official capacity as County Surveyor very, very rarely. The County Surveyor's Office is mainly in the surveying of public bond domain, of which there is very little left in Dallas County.

Q: Relative to other aspects of your occupation, do you do on-the-scene survey work?

A: Yes, sir.

MR. SCIAMBRA: At this time the State would attempt to qualify this witness as an expert surveyor and therefore qualified to give his expert opinion relative to the topographical aspects of Dealey Plaza in Dallas, Texas.

THE COURT: Does the Defense wish to traverse Mr. West on the proposition of his being an expert?

MR. DYMOND: Just a few questions.

BY MR. DYMOND:

Q: Mr. West, what is --

MR. SCIAMBRA: I haven't questioned him yet. I haven't brought out his qualifications yet.

THE COURT: You may proceed to do so.

BY MR. SCIAMBRA:

Q: How long have you been County Surveyor for the County of Dallas, Texas?

A: Since 1944.

Q: What training have you had, whether in some institution or whether in an apprentice type of situation?

A: The basic training was with my father who was County Surveyor from 1904 until 1944, at which time I assisted him. I also, during that period, attended A&M College and Southern Methodist University taking civil engineering.

Q: At what age did you begin to receive your training under the tutorship of your father?

A: When I was 12, 13 years old he started taking me to the field to help him make these land surveys.

Q: Have you ever been qualified as an expert surveyor in any courts?

A: Yes, sir.

Q: Approximately how many courts have you been qualified as an expert in?

A: All the courts in Dallas County. The County Courts, the District Courts and the Federal Courts.

THE COURT: Mr. Alcock, I would suggest you tender Mr. West for traverse by the Defense.

MR. ALCOCK: The State will tender him.

BY MR. DYMOND:

Q: Mr. West, is there such a thing as a topographical surveyor?

A: One who does nothing but topographical work?

Q: Topographical work, yes.

A: There are, but I don't know of any personally.

Q: Do all surveyors do topographical work?

A: All the land surveyors should be able to do topographical work.

Q: Do you do topographical work, sir?

A: Yes, sir.

Q: Did you graduate in civil engineering?

A: No, sir.

MR. DYMOND: That is all, sir.

THE COURT: Mr. Dymond, does the Defense wish to put any witness on the traverse as to the expertise of the witness Mr. West being an expert in this field?

MR. DYMOND: No, we don't wish to do that.

THE COURT: Is the matter submitted?

MR. SCIAMBRA: It is submitted by the State.

THE COURT: I will rule that Mr. West by training, experience and study is an expert in this field and can give his opinion as to the landmarks in Dallas

County, Dallas, Texas on November 22, 1963.

BY MR. SCIAMBRA:

Q: Did you have occasion during the course of your duties to survey and draw a survey plat for the Federal Bureau of Investigation relative to Dealey Plaza?

A: Yes, sir.

Q: Do you see that survey or reproduction of it in court today?

A: I think it is on the easel over there on the left.

Q: Is this survey drawn to scale, and if so, what scale?

A: Yes, sir. The scale is noted on the plat. The large portion of the map is drawn to the scale of one inch equal to twenty feet. The other portion, which has to do with vertical control --

Q: Let me ask you this, Mr. West: Is this a complete survey of Dealey Plaza?

A: No, sir.

Q: In what respects is it incomplete?

A: It is not complete, it does not show all of the topographical features within this particular quadrant of Dealey Plaza.

Q: Is there any particular reason why it does not show this?

A: This is what was required by an FBI agent. This is what he instructed me to survey and to plat.

Q: Particularly relative to the location of the street and what is referred to as a wooden stockade, and the location of the other landmarks which are on this plat, are they in the same location as they were in on November 23, 1963?

A: I cannot testify to the location of the sign as being in the exact position.

Q: Are these signs clearly marked on the plat?

A: Yes, sir.

Q: Relative to the other aspects of this plat, can you testify to them?

A: All of the aspects on the plat to the best of my knowledge are the same.

Q: As they were on the 22nd of November?

A: Right.

Q: When was this plat made, if you know?

A: I can't see the date. It is on the map there.

Q: Is there a date on the plat?

A: Yes, sir.

Q: Would you please step down and walk over to the plat?

A: April 31, 1964.

Q: Is your name on the plat?

A: My name is printed on the map and also my signature is on the map.

Q: Are there any seals on the plat?

A: There is a seal of the Public Surveyor's Office.

Q: Was this seal placed on the plat by you?

A: Yes, sir.

Q: Mr. West, I direct your attention to what the State has previously marked as S-34, which purports to be an aerial photograph, and I ask you whether or not you can tell the Court of what this is a photograph? If you cannot see it plainly you can step over here.

A: I believe I can see it. It is a photograph of part of Dealey Plaza at the intersection of Houston, Elm, Main and Commerce in Dallas.

Q: I request you get up from your witness chair and inspect this photograph very carefully, please. Would you come over here and inspect it?

A: All right.

Q: You may return to your seat. Mr. West, you have inspected what purports to be an aerial photograph of Dealey Plaza, is that correct, sir?

A: Yes.

Q: To the best of your knowledge are the buildings, streets and various landmarks, including the trees that are depicted in this photograph, in the same location and position as they were in on November 22, 1963?

A: Yes, sir.

Q: Are the objects which are depicted in this map, in this photograph, in the same location as the objects which are depicted in your plat, as far as it

goes?

A: The same relative location of streets, buildings and so forth.

Q: Mr. West, I would ask you to please step down and inspect what has been previously marked as S-36.

A: All right.

Q: Please return to your seat. Mr. West, you have inspected what has been marked as S-36, is that correct, sir?

A: Yes, sir.

Q: Do you recognize this as being any particular location?

A: Well, it is basically the same area as covered in the photograph. Commerce, Main, Elm and Houston Streets, showing the courthouse and the jail and so forth.

Q: As a result of your inspection were you able to determine any errors which might be represented here as opposed to the actual scene in Dallas, Texas?

A: That covers such a multitude of things I don't know that I could answer that question.

Q: Are there any major errors?

A: I don't see any major errors.

Q: Are there any buildings on here which are not in Dealey Plaza, Dallas, Texas?

A: No.

Q: Are there any streets on here which are not in Dealey Plaza in Dallas, Texas?

A: No, sir.

Q: Where is your office located in Dallas, Mr. West?

A: At the date of this survey it was located on the first floor of the northwest corner of the old courthouse at the corner of Main and Houston.

Q: Is the old courthouse depicted in this aerial photograph?

A: Yes, sir, it is in the lower right-hand corner.

Q: Were you present in Dealey Plaza at approximately noon on November 22, 1963?

A: Yes, sir.

Q: Therefore in your expert opinion the two exhibits, S-30 and S-36, do they fairly represent the area as it was on that date, is that right?

A: Right.

Q: More specifically, the markup which the State does allege is not to scale, and you have noticed there are some minor mistakes, is that right?

A: Right.

Q: But there are no buildings, streets or major obstacles which are located out of position, is that right?

A: Right.

THE COURT: Mr. Dymond, Mr. Wegmann and Mr. Wegmann, do you wish to traverse on these exhibits?

MR. DYMOND: Yes, I do.

THE COURT: You may do it.

BY MR. DYMOND:

Q: Mr. West, I have particular reference to what has been termed a markup, that is this model here before me. You stated on Direct Examination there are some minor mistakes on it. Would you mind coming down here and point them out to us, these minor mistakes?

A: Basically what I intended to say was that the markup covers such a large area that it would be impossible for me to check out every minute detail as to scale, location of trees, location of traffic strips, et cetera, that are on this model. I couldn't say whether they are in the correct position or not.

Q: Mr. West, the markup doesn't purport to be a scale markup, so errors as to scale would not be relevant here. Can you point out other errors, other than scale errors, that might exist?

A: I would have to examine it again to pick out any big errors such as that.

Q: You are free to examine it if you wish to, Mr. West.

A: Basically the model doesn't indicate the concrete wall or fence along the

west side of the area that leads across Houston Street from the Criminal Court and jail building between the lagoon and Elm Street.

THE COURT: The Court Reporter has to get this down, so will you speak louder, please.

THE WITNESS: (Continuing) There is a concrete wall that runs along the west side of the lagoon, west of Houston Street. It is terribly difficult here to say what is missing in a model of this type. For example, the storm sewer inlets are not shown on Elm, Main or Commerce.

THE COURT: I cannot hear you.

THE WITNESS: (Continuing) The storm sewers are not shown on Main, Elm or Commerce. The highway sign shown here, I couldn't say it is in the correct position. Basically that's about all.

BY MR. DYMOND:

Q: You may return to the stand. Mr. West, would you be able to testify as to whether this markup contains the same number of trees in the same locations and of approximately the same relative size as those that were in Dealey Plaza on November 22, 1963?

A: No, sir.

Q: You could not?

A: No, sir.

Q: Mr. West, I refer to a building here, and ask you what building this represents?

A: This is the Criminal Courts Building.

Q: Where would the Records Building be in relation to this Criminal Courts Building?

A: Immediately behind it or east of it.

Q: Back this way?

A: Right.

Q: When was the Records Building built?

A: To the best of my knowledge along in the 1920's.

Q: When was the new Criminal Courts Building built?

A: The late '40's.

Q: Is it not a fact that facing this markup over in this left area are the railroad tracks, that there is a railroad observation tower with a big plate glass window in the front of it permitting open view into what has been termed the grassy knoll area?

A: There is a tower and it has, I am sure, a view of the railroad. I have never been up there so I couldn't say what the view is.

THE COURT: Could you find in the aerial photograph that of which you are speaking?

MR. DYMOND: In order to enlighten you as to what I am speaking of, Mr. West, I am pointing my finger to the building to which I have reference on State-34.

THE COURT: Why don't you step down, sir. I have a magnifying glass here if you want it.

MR. DYMOND: I don't believe so, Your Honor.

THE WITNESS: Yes, I can see it.

BY MR. DYMOND:

Q: Such a building does exist and did exist on November 22, 1963?

A: Yes.

Q: Is that building represented on this markup at all?

A: I don't believe so.

Q: Now, with respect to the large exhibit over here, Mr. West, which has been marked for identification as State-35, is such a building represented on this survey?

A: No, sir.

Q: Is there anything on this survey which would indicate the number and the size and the location of trees in this area?

A: There are several trees shown. The size, no. You mean the diameter of the trunk of the tree?

Q: And the height of the trunk of the tree.

A: We didn't attempt to show the diameter or height of any trees.

Q: Would you call this, sir, a topographical survey or not?

A: Within its limits.

Q: Within what limits?

A: Within the limits that were indicated to me by the FBI, that this was the information that they wanted to be shown on this map. Within those limits it is a topographical map.

Q: Do those limits coincide with your definition of a topographical survey?

A: Within those limits, yes, sir.

Q: I am talking about your general definition and knowledge of the term 'topographical survey.'

A: For example, the information shown at Houston Street beginning at Main and running northerly along Elm Street and beginning at Houston and running westerly to the triple underpass, that in my opinion is a true topographical map showing all the physical features of those particular streets.

Q: Do you know when the photograph was taken, Mr. West?

A: No, sir.

Q: Do you know whether or not that photograph reflects the same number of trees in the same location and the same height as existed in that location on November 22, 1963?

A: No, sir.

MR. DYMOND: That's all, sir.

THE COURT: For the record, Mr. Sciambra, can we have the date when this was taken? Does it appear on the reverse thereof when it was taken?

MR. SCIAMBRA: No, Your Honor.

THE COURT: To the best you know, from your experience living in Dallas, Texas, having helped your father since you were 12 years old and being familiar with the area, as an expert would you say the aerial photograph fairly and accurately represents the scene as it existed on November 22, 1963?

THE WITNESS: As best as can be shown by a photograph, yes, sir.

THE COURT: The answer is "yes"?

THE WITNESS: Yes.

THE COURT: You prepared a plat of the survey?

THE WITNESS: Yes.

THE COURT: Let us get to the markup. Does it fairly represent the scene, not to scale but the general appearance, particularly of the streets and the Texas Schoolbook Depository Building; does it fairly show the scene as it existed on November 22, 1963, to the best of your knowledge?

THE WITNESS: I think it does.

THE COURT: I am going to admit these three exhibits into evidence.

MR. DYMOND: Will we have an opportunity to object?

THE COURT: You will have an opportunity to object. Let us bring the Jury in and leave the exhibits where they are and go through it all over again in front of the Jury.

(WHEREUPON, the Jury returned to the courtroom.)

THE COURT: You may start from the beginning.

ROBERT WEST, having been previously sworn, testified further on his oath as follows:

MR. DYMOND: If the Court please, now that the Jury has returned, we would like to object and reserve our bill, to the testimony of Mr. Abraham Zapruder on the grounds of relevancy of the issues in this case, and making his entire testimony, the objection, the ruling of the Court and all other testimony up to this time part of the bill.

THE COURT: You may proceed.

DIRECT EXAMINATION BY MR. SCIAMBRA:

Q: Would you please state your full name?

A: Robert H. West.

Q: Where do you reside?

A: 9209 Pennywool (?) Street, Dallas, Texas.

Q: What is your occupation?

A: I'm a land surveyor.

Q: Do you have any particular title?

A: I am County Surveyor of Dallas County, Texas.

Q: How long have you held that office?

A: Since 1944.

Q: Would you in a couple of sentences please explain to the Gentlemen of the Jury very briefly the nature of your work as County Surveyor and also the nature of your work as a surveyor?

A: The nature of my work as a County Surveyor is the maintenance and preservation of original survey records of Dallas County, making them available to the public and so forth. My duties as a land surveyor have to do with the surveying of land, subdivisions, topographical maps, maps of collisions for insurance companies. That about covers it.

MR. SCIAMBRA: May it please the Court, at this time the State will attempt to qualify Mr. West as an expert surveyor and further qualified to give his opinion as to the topographical aspects of Dealey Plaza, Dallas, Texas.

MR. DYMOND: We would like to object to the testimony of Mr. West on the ground of relevancy for the same reasons as heretofore stated.

THE COURT: The ruling as I ruled with regard to Mr. Zapruder will apply to Mr. West.

MR. DYMOND: Same bill.

THE COURT: Proceed.

BY MR. SCIAMBRA:

Q: Have you had any particular training in the field of surveying?

A: I received my basic surveying training from my father who was County Surveyor from 1904 until 1944. Other than that I received my schooling at A & M College and Southern Methodist University.

Q: Have you had any education and experience of civil engineering?

A: Not much, except what I run into in the practice of land surveying.

Q: How old were you when you began to receive your training from your father?

A: Approximately 12 to 14. Well, since I got big enough.

Q: Was that training continuous until your father left office in 1944?

A: Except for time out for schooling.

Q: Mr. West, have you ever been qualified as an expert surveyor in any courts?

A: Yes, sir.

Q: Have you ever been qualified in Federal Courts?

A: Yes, sir.

Q: Do you know on how many occasions in Federal Courts?

A: I would say approximately a half a dozen times.

Q: Have you ever been qualified by any District or Municipal Courts?

A: The County Court and District Courts, yes, sir.

Q: On approximately how many occasions, if you know?

A: Thirty to forty.

Q: How long have you been County Surveyor for Dallas County, Dallas, Texas?

A: Since 1944.

THE COURT: Do you wish to tender the witness for traverse?

MR. SCIAMBRA: The State tenders the witness.

BY MR. DYMOND:

Q: Are you a graduate civil engineer, Mr. West?

A: No, sir.

THE COURT: Does the Defense wish to present any evidence by witnesses or otherwise on traverse of the qualifications of Mr. West?

MR. DYMOND: We don't, Your Honor.

THE COURT: Is the matter submitted?

MR. SCIAMBRA: Submitted by the State, Your Honor.

THE COURT: Considering the training, experience and education of the witness, the Court rules he is qualified as an expert in this particular field and can give his opinion not only as a land surveyor but also as an official of Dallas County of the physical aspects of Dallas on November 22, 1963. You may proceed.

BY MR. SCIAMBRA:

Q: I direct your attention to what has been previously marked for identification as State Exhibit 35, which purports to be a plat, and ask you whether or not you recognize this?

A: Yes, sir.

Q: For what purpose was this plat originally drawn?

A: This was made at the request of the FBI agent for the Warren Commission.

Q: Did you personally draw this?

A: It was personally drawn -- Well, it was drawn under my personal supervision.

Q: Did you personally supervise the surveying of everything that led up to the drawing of this plat?

A: Yes, sir, I was present at all times during the office work and field work.

Q: In connection with the drawing of this plat were any photographs taken to aid you?

A: Yes, sir.

Q: Mr. West, is this plat a complete representation of Dealey Plaza?

A: No, sir.

Q: In what respects is it not complete?

A: It doesn't show all of the topographical features of that particular part of Dealey Plaza that lies northwest of Main Street.

Q: Does it show all of the curves and contours in Dealey Plaza?

A: Not of the ground, but all the streets, it shows all of the curves and contours.

Q: Directing your attention specifically to the wooden stockade, does this plan indicate the elevation of this stockade?

A: No, sir.

Q: Are there any reasons why this plat is an incomplete drawing?

A: This is what the FBI agent instructed me to show on this plat, these features.

Q: Mr. West, I direct your attention -- no, I will ask you something prior to that. Would you please step down from the witness stand and come over here?

A: Yes.

MR. SCIAMBRA: Your Honor, for the sake of convenience, provided I speak in a loud voice and provided Mr. West speaks in a loud voice, can I ask him questions from here?

THE COURT: Yes, but speak up.

BY MR. SCIAMBRA:

Q: I notice in the center lane of that which you have depicted as Elm Street there are numerals close to small dots. Can you please tell the Gentlemen of the Jury what those numbers represent and what the dots represent?

A: The number represents the frame number of the Zapruder film. The dot represents the location of President Kennedy in the limousine when the particular frame was shot.

MR. DYMOND: We object to that unless this gentlemen can testify to that of his own knowledge, Your Honor. Unless he measured where the President was each time it would be based purely on hearsay.

MR. SCIAMBRA: I am asking the question.

BY MR. SCIAMBRA:

Q: Why did you place the dot in the frame number in a particular location which is shown on this plat?

A: On the instructions of the FBI agent.

MR. DYMOND: We object to it and ask the Jury be instructed to disregard it.

THE COURT: I so instruct the Jury. Disregard the last remark.

May I ask the witness one question? Does your signature appear on this scale model?

THE WITNESS: Yes, sir, over in the lower left-hand corner.

BY MR. SCIAMBRA:

Q: Is there also a seal upon this drawing?

A: Yes, sir, the Registered Public Surveyor's seal.

Q: Is this your seal?

A: Yes, sir.

Q: Did you place this seal there?

A: Yes, sir.

Q: Is this plat drawn to scale, Mr. West?

A: Yes, sir.

Q: What is the scale of this plat?

A: One inch equal to ten feet on the large portion and the right-hand part of the map horizontal control part, the upper left-hand part of this vertical control, is one inch to twenty feet. They are noted on the plat.

Q: Mr. West, were you present in Dealey Plaza on a date whenever a reconstruction of the assassination of President Kennedy was conducted?

A: Yes, sir.

Q: Were any Federal agents present at this time?

A: Yes, sir.

Q: Do you know from what bureau or agency these men were?

MR. DYMOND: We object on the grounds that this is completely irrelevant. A reconstruction of what supposedly went on has no place in this case.

THE COURT: I sustain that objection.

BY MR. SCIAMBRA:

Q: I direct your attention to what has been previously marked by the State as S-34, and I ask you whether or not you recognize the scene depicted in this photograph?

A: Yes, sir. That is a portion of Dealey Plaza at Houston, Main, Elm and Commerce Streets in Dallas.

Q: In this photograph there is a building which is marked "Texas School Book Depository." Is this in fact the Texas School Book Depository?

A: Yes, sir.

Q: There is also a building marked the Dal-Tex Building. Is this the Dal-Tex Building?

A: Yes.

Q: There is also a building marked the Records Building. Is this in fact the Records Building?

A: I can't see from here which is marked as the Records Building.

Q: Well, step down and come over to the photograph.

A: This part as shown as the Records Building is the back of the Criminal Courts Building, but they are all hooked together with hallways that run from one to the other.

Q: I direct your attention to what has been previously marked for identification by the State as S-36, which purports to be a markup of Dealey Plaza, and ask you whether or not you recognize this?

A: Yes, sir.

MR. SCIAMBRA: Your Honor, I would make a statement to The Court and the jury that at this time this does not purport to be drawn to scale, or built to scale.

BY MR. SCIAMBRA:

Q: Have you inspected, or would you please at this time step forward and inspect this markup. Please speak very loudly so everyone can hear you. Is this an accurate model or markup of Dealey Plaza or are there things which are not contained in this markup?

A: There are things that are not contained in this markup. All of the physical features are not shown.

Q: Will you please point out those features which are not shown?

A: One, for example, is the concrete fence which runs along the west side of the lagoon west of Houston Street between Main and Elm.

Q: Relative to the buildings and the locations of the streets, are they fairly accurately represented by this markup?

A: I think they are fairly accurate, yes, sir.

Q: Are there any buildings in Dealey Plaza in the area depicted here which are not located in this markup?

A: Not to my knowledge.

Q: You may return to the witness chair. Now, Mr. West, were you present in Dealey Plaza on November 22, 1963, sir?

A: Yes, sir.

Q: Where were you located? At approximately what time were you in Dealey Plaza?

A: I don't remember the exact time of the day. It was approximately 15 minutes before the motorcade came down.

Q: Mr. West, I'm going to give you a small flag which has your name on it, and which also has a pin in it, and I would ask you to please go to what you previously identified as being your certified plat and stick this in the location where you were approximately 30 minutes before the motorcade passed on November 22, 1963.

A: (The witness complies.)

Q: Now, Mr. West, would you please explain to the Gentlemen of the Jury, and the Court, verbally what location this is?

A: That would be the southeast corner of the intersection of Main and Houston Streets.

Q: In relation to the aerial photograph, and in relation to where your office was at that time, or in relation to where you were, where was your office at that time?

A: It was in the old courthouse approximately 40 or 50 feet south of where I was standing.

Q: Did you see the presidential motorcade on that day, sir?

A: Yes, sir.

Q: Before I proceed I'm going to also give you a small emblem which represents a man, and ask you to proceed to the markup and paste yourself on the markup in accordance with where you were on that date.

A: (The witness complies.)

Q: Mr. West, what was the location of the presidential limousine at the time your first saw it on November 22, sir?

A: It was going west on Main Street at approximately Record Street, which is the first street east of Houston.

Q: Did you observe the presidential limousine as it approached Houston Street?

A: Yes, sir.

Q: In which direction did the presidential limousine proceed upon reaching Houston Street?

A: It turned to the right, or to the north.

Q: At what time did you lose sight of the presidential limousine, if in fact you ever lost sight of it?

A: Shortly after it turned to the left, or back west on Elm Street.

Q: When did you again regain visual observation of the presidential limousine?

A: Before it went under the underpass.

Q: Would you please step up and indicate the location of the underpass of which you are speaking on the aerial photograph and then also on the plat which you have drawn?

A: (The witness complies.)

Q: Now would you indicate this on the markup, sir?

A: (The witness complies.)

Q: Now, Mr. West, did you see or hear anything unusual as the presidential motorcade proceeded through Dealey Plaza on November 22?

A: Some time after it turned on Elm Street I heard what sounded to me at that time as what I thought was backfiring, a motorcycle.

Q: How many of these backfires did you hear?

A: Four.

Q: Did you at any time during this period determine them to be anything other than backfires?

MR. DYMOND: Object, unless of his own knowledge he did.

MR. SCIAMBRA: That is what I asked him.

THE COURT: From your own knowledge did you make any determination?

THE WITNESS: I made no examination, no, sir.

BY MR. SCIAMBRA:

Q: Did you recognize any of the noise which you have described as anything other than a backfire?

MR. WILLIAM WEGMANN: Objection, he already testified it was backfire. Now he is trying to change his witness testimony.

MR. SCIAMBRA: I am asking him if he ever determined it to be anything else.

THE COURT: Put the question differently, would you please?

BY MR. SCIAMBRA:

Q: Mr. West, did you hear any unusual noise?

A: Yes, sir.

Q: On how many occasions did you hear this noise?

A: Four.

Q: Did it sound the same on each occasion?

A: Yes, sir.

Q: What did you think this noise was on the first occasion?

MR. WILLIAM WEGMANN: Objection, he has already said it sounded the same on each occasion.

THE COURT: I will permit the question. You may ask the same on each occasion.

BY MR. SCIAMBRA:

Q: What did it sound like on the first occasion?

A: A motorcycle backfired.

Q: What did it sound like on the second occasion?

A: A rifle fired.

Q: It sounded to you like rifle fire --

THE COURT: You needn't repeat his testimony.

BY MR. SCIAMBRA:

Q: What did it sound like to you on the third occasion?

A: It appeared to me it was rifle fire after the second. The first and the second my response was it was motorcycle backfire.

Q: What was your response to the third sound that you heard?

A: Rifle fire.

Q: Were these loud sounds?

A: Yes, sir.

Q: Were you able to determine at any time during the course of these the location or the area from which these sounds were emanating?

MR. DYMOND: Objection on the ground it calls for an opinion.

MR. SCIAMBRA: This is within his knowledge.

THE COURT: You don't have to argue. If you know of your own personal knowledge you can answer the question.

THE WITNESS: The sound came from the northwest quadrant of Dealey Plaza.

BY MR. SCIAMBRA:

Q: Will you please step down from the witness chair and proceed to your plat and indicate to the Gentlemen of the Jury what the northwest quadrant of Dealey Plaza is.

A: This entire area north and west of Elm Street.

Q: Were you able, or can you at this time tell the Gentlemen of the Jury what interval of time there appeared to be between the first and the second reports which you heard?

A: No, sir.

Q: Can you tell us the interval between the second and the third?

A: No, sir.

Q: The third and fourth?

A: No, sir.

Q: Mr. West, you will notice on what has been previously marked as S-34, which is the aerial photograph, a line of dots. I will ask you whether or not this is the route taken --

MR. WILLIAM WEGMANN: Objection on the grounds it is leading.

THE COURT: Rephrase your question, please.

BY MR. SCIAMBRA:

Q: Would you indicate to the Gentlemen of the Jury by stepping to this aerial photograph the route taken by the presidential limousine?

A: The limousine was going west on Elm, north on Houston and back west -- pardon me, west on main, north on Houston and back west on Elm.

Q: Mr. West, is it possible for you to tell the Gentlemen of the Jury the approximate span of time that elapsed between the first report which you heard and the last report which you heard?

A: No, sir.

Q: Mr. West, when was the last time you observed the presidential limousine?

A: Somewhere shortly before it went under the triple underpass.

Q: Were there many persons in Dealey Plaza on November 22?

A: Yes, sir.

Q: As the presidential limousine proceeded out of sight what, if anything, did the persons in Dealey Plaza do?

A: There seemed to be a commotion.

Q: Was there any particular reaction --

MR. WILLIAM WEGMANN: Objection, that is calling for an opinion.

THE COURT: Allow him to tell what he saw without leading him. He can explain what he saw without leading.

THE WITNESS: Are you referring to the individual persons?

BY MR. SCIAMBRA:

Q: No, the crowd in general, sir. Let me rephrase the question.

MR. WILLIAM WEGMANN: I suggest he be allowed to answer the question.

THE COURT: Tell us in your own words what happened.

THE WITNESS: There seemed to be a commotion.

BY MR. SCIAMBRA:

Q: Did the crowd react in any particular direction that you saw?

MR. WILLIAM WEGMANN: Objection, he's leading the witness again, Your Honor.

THE COURT: Tell us what happened without any leading.

THE WITNESS: When I left my position on the corner of Main and Houston and went across into Dealey Plaza area, there was quite a commotion. A police motorcycle and several men coming up, what is indicated on the aerial photograph as the grassy knoll. When I got over to the motorcycle there were several men up behind the wood stockade fence along the north edge of the grassy knoll.

BY MR. SCIAMBRA:

Q: Would you just put the general area from where you stated you heard the shots come from?

MR. WILLIAM WEGMANN: Objection to leading.

THE COURT: Rephrase your question.

BY MR. SCIAMBRA:

Q: In relation to the grassy knoll, from which area did you hear the shots?

A: The grassy knoll is in the same northwest quadrant as I heard the shots.

Q: Would you please step down and indicate to the Gentlemen of the Jury where the grassy knoll was located?

A: On the aerial photograph it is located along this area.

Q: You stated you saw a motorcycle man get off of his motorcycle.

MR. WILLIAM WEGMANN: I object. There has been no such testimony.

THE COURT: Don't lead.

BY MR. SCIAMBRA:

Q: Standing next to the aerial photograph, would you please point to the direction in which you have testified you saw people running?

A: The direction from where it is indicated Elm Street on here to the direction of the top of the aerial photograph towards the grassy knoll.

Q: Where did you go?

A: I went to the area right below what is indicated here as the grassy knoll, on the sidewalk.

Q: Is there a wooden fence located in that area, sir?

A: There is a wooden stockade fence approximately 6 feet high located along the top of the grassy knoll.

Q: Did you observe anyone going around or over this fence?

A: I observed several men going over the fence.

THE COURT: I know you are going to have quite a bit more examination so I would think --

MR. SCIAMBRA:

I tender the witness, Your Honor.

THE COURT: Then I am going to take a five minute recess.

(WHEREUPON, a short recess was taken.)

THE COURT: Before you proceed, Mr. Dymond, I have two announcements to make. Number one, with respect to Article 9, I have been informed, and I believe it, because I noticed it myself, that certain reporters and spectators have seen fit to leave early this afternoon trying to scoop the evidence, and I'm going to have to insist this rule be followed, so it will not create noise and confusion in this court. No one will be permitted to enter or leave the courtroom during the testimony of a witness or argument by Counsel. Entry and exit may only be made during official recesses. This morning, when it was announced Mr. Zapruder was going to be permitted to introduce his film, when we get to it, someone rushed out of the courtroom. If that happens in the future that person's credentials will be taken away. You have cooperated with me for 23 days and I have enough problems of my own without worrying about the reporters and spectators, so I would appreciate co-operation in this matter. One other matter; when court is adjourned for the evening at 5:30 and all the spectators have left, and the Jury has left, I will permit the various news media to photograph these three exhibits. As you know, we have pins placed in certain exhibits and if we start moving them from the courtroom to any other place we may knock the pins out. If the witness has already left town there may be a discussion as to where the pin belonged in the first place. It is very important these exhibits be not touched by anybody. If I make that concession to the press at 5:30 this afternoon or quarter to 6:00, if you will act like gentlemen and come in here I will permit you to photograph the three exhibits. No one will get near or touch them because if you do you may destroy them. If you want to get word to your photographers I will permit you to come in this area over here and take pictures of the three exhibits.

Number one, please do not enter or leave during testimony.

Number two, you will be able to take photographs of these exhibits this afternoon.

Bring the Jury back, please.

(WHEREUPON, the Jury returned to the courtroom.)

THE COURT: Is the State and Defense ready to proceed?

MR. DYMOND: We are ready, Your Honor.

MR. ALCOCK: We are ready, Your Honor.

THE COURT: The status of Mr. West is that he has been tendered for cross-examination.

MR. ALCOCK: That is correct.

CROSS-EXAMINATION BY MR. DYMOND:

Q: You have been working in the vicinity of Dealey Plaza for many years, have you not, sir?

A: Yes, sir.

Q: About how many years?

A: Oh, since 1942.

Q: Is it not a fact, Mr. West, that Elm Street, before it goes under the triple overpass, declines rather sharply?

A: Considerably.

Q: Is it not also a fact, Mr. West, there being many buildings around Dealey Plaza there, that you have the effect of a valley which is very susceptible to echoes and in which it is very difficult to determine the direction from which sound is coming? A: Number one, I don't remember ever having heard an echo, or what I knew was an echo. As to which way sound is coming from, I don't know I ever had any trouble.

Q: You say you heard four noises, the first two of which you thought were

motorcycle backfires and the last two of which you thought were shots, is that right?

A: Right.

Q: Mr. West, in your mind are you positive as to the number of sounds you heard, or is that a matter of some conjecture?

A: That was my response on that day.

Q: You do admit, sir, the circumstances were very exciting and created a situation which was very possibly susceptible to error, do you not, sir?

A: They were extremely exciting.

Q: I take it you recognize the fact you could be mistaken as to the number of sounds, is that right, sir?

A: It is possible.

Q: Mr. West, do you remember approximately when the parade route, that is the route which the presidential motorcade would take, was made public in Dallas?

A: No, sir, I do not.

Q: Could you tell us approximately how long before the 22nd of November, 1963

--

MR. ALCOCK: Objection, he has already answered the question.

THE COURT: I will sustain the objection. If a person says he doesn't know how can you get him to approximate it?

MR. DYMOND: He may have learned it from what was published in the newspaper.

MR. ALCOCK: It is hearsay what he read in the newspapers.

THE COURT: Can you approximate the time? When was it made public?

THE WITNESS: I don't know when it was made public. All of the parades up to that time in Dallas were down Main Street. They all came by the courthouse and therefore I felt, or knew, the parade would come down Main Street. The route of the procession, as to when it was published, I couldn't say.

BY MR. DYMOND:

Q: When did you first learn that President Kennedy was going to come to Dallas? About how long before November 22?

A: Well, I knew at least a day before when he was in Fort Worth that the plans were for him to come to Dallas.

Q: Did you know as much as a week before November 22?

A: I couldn't say.

Q: Mr. West, would you mind stepping down to this plat here and pointing out the relative positions --

THE COURT: Your back is turned to the Court Reporter, Mr. Dymond, so would you mind speaking loudly, please?

BY MR. DYMOND:

Q: The exhibit is State-35. Would you point out the relative positions where you were standing and the spot where you saw the motorcade first on Elm Street? Would you put your finger on each one of them?

A: I was standing at the point indicated by the pin here at the southeast corner of the intersection of Main and Houston. The first time I saw the motorcade at Elm Street was at this point here immediately after we had turned onto Elm Street.

Q: Would you kindly place an X on the spot where you first saw the motorcade enter Elm Street?

A: It is approximately at this spot I have marked with an X on my map.

Q: Where was the motorcade when you next saw it on Elm Street?

A: It was approximately where I have indicated by this X, the first X to the left here.

Q: Could you tell me approximately how many feet the motorcade was when you saw it at the second spot indicated at Elm Street?

A: How many feet between the two points do you mean?

Q: Between you and the spot where you next saw the parade on Elm Street.

A: I would have to have a scale. 360 feet approximately.

Q: All right, sir, you may take the stand again, thank you. I understand, Mr. West, it was your opinion that the noises which you heard came from northwest of you, is that correct?

A: Right.

Q: I would take it that you would not claim to be able to tell exactly what direction they came from, that is in degrees, would you, sir?

A: No, sir.

Q: But you would say generally in a northwesterly direction, is that right?

A: Right.

Q: I'm going to ask you whether it is not a fact that the Texas School Book Depository was slightly northwest of where you were standing at that time?

A: Right.

Q: It was?

A: Yes, sir.

Q: I hate to impose upon you again, but would you mind stepping back to the map and pointing out where the Texas School Book Depository is? I would ask you to place an X on it.

A: It is in the upper right-hand corner of the map, indicated on the map by Texas School Book Depository, 411 Elm Street.

Q: Would you also point it out on the aerial photograph?

A: It is in the same relative position, the Texas School Book Depository Building, lettered on the front of the building.

Q: Would it be possible on the aerial photograph to place an X on the spot you were standing?

A: It would be close. I couldn't say whether I would be behind the part of the old courthouse shown or not.

Q: Would you do your best and explain what error there may be in this?

A: I would be on the sidewalk on the south side of Elm Street approximately to the left of the old courthouse building. I could have been 5 feet further to the right or behind the building.

Q: You could possibly be further to the right of Main Street to an extent which would not be shown on this aerial photograph, is that right, sir?

A: Right.

Q: You may return to the stand, Mr. West. Thank you, sir. Mr. West, you say Dealey Plaza in general was quite crowded on that day, was it not, sir?

A: There were quite a few people in Dealey Plaza. As far as the open area being full of people, no, sir.

Q: Is it not a fact, sir, some of the crucial participants in that motorcade ran back towards the grassy knoll area after the shots were fired?

A: I don't know who they were. I know the City policeman whose motorcycle was parked there at the curb was upon the grassy knoll.

Q: I take it you don't know if they were trying to get away from the shots or why they were going over the fence?

A: No, sir.

MR. DYMOND: That's all, thank you, sir.

REDIRECT EXAMINATION BY MR. SCIAMBRA:

Q: Mr. West, you went in the direction of the grassy knoll --

MR. DYMOND: Objection to leading the witness.

MR. SCIAMBRA: He testified to it.

MR. DYMOND: I object to repeating the witness' answer.

BY MR. SCIAMBRA:

Q: In what direction did you go after the motorcade disappeared under the underpass?

A: Towards what is shown as the grassy knoll.

Q: Why did you go in that direction?

A: Because that is what appeared to me --

MR. DYMOND: I object to what appeared to him to be.

THE COURT: I will overrule the objection.

MR. DYMOND: To which ruling Counsel reserves a bill, making the question, the answer and the entire testimony up to this point and the ruling of the Court as part of the bill.

THE WITNESS: It appeared to me all the action, all the activity, was going on in that particular part.

BY MR. SCIAMBRA:

Q: How many parades have you seen come down Main Street?

A: One hundred I guess.

Q: In order to go from Main Street in the most direct route to the Trade Mart, in what direction would you go on reaching Houston?

A: I would go to Elm Street.

Q: Why is that, sir?

A: To get on the Stemmons Freeway.

Q: Why would you turn off of Main Street at that point?

A: There is no access from Main Street to the Stemmons Freeway. The only access to it is from Elm Street.

Q: Did you testify before the Warren Commission?

A: No, sir.

Q: Did any FBI agent ever interview you?

A: Ever what?

Q: Ever interview you relative to what you heard in Dealey Plaza?

A: No, sir.

MR. SCIAMBRA: I have no further questions.

RE-CROSS-EXAMINATION BY MR. DYMOND:

Q: Did you ever see Lee Harvey Oswald there?

A: No.

Q: Did you ever see this Defendant, Clay Shaw there?

A: No, sir.

MR. DYMOND: That's all.

THE COURT: You may step down.

(WITNESS EXCUSED.)

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